



# Cape Fear Firebird

*The Light of Save the Cape*

May 31, 2013

*No man's life, liberty, or fortune is safe while the legislature is in session.*  
-Judge Gideon Tucker (also attributed to Benjamin Franklin)

## ***A Shell Game in the Senate***

The State Senate budget bill for fiscal 2014, S402, emerged from committee on May 21; the full Senate passed it two days later. All 414 pages. It's not just a budget but a major reorganization of State government. It has gone over to the State House of Representatives, for ratification. Or not.

We cannot tell you what is in there, and probably no one else can, because comprehension of the document is at least a two-semester course, requiring knowledge of the various starting points: last year's budget, the Governor's budget proposal, the underlying General Statutes.

Our brief perusal did turn up some less than obvious things. Here are two:

*Parks and Recreation Trust Fund.* This fund was created in 1994 to finance capital improvement projects and land acquisition for the State parks, and to provide grants to local governments for parks. From 1996, 75% of the proceeds of the excise tax on land transfers has been paid into the fund—the other 25% has gone to the Natural Heritage Trust Fund.

Section 14.4(a) of the Senate's budget bill would nab all of the proceeds of the land transfer tax, approximately \$32 million per year, and pay them into the State General Fund; then the State would return to the Parks and Recreation Trust Fund, instead of \$24 million (75% of the proceeds), just \$11 million, as part of the appropriation to the NC Department of Environmental Resources. At a time when State and local parks should be expanding with population, they must make do with \$13 million per year less. Don't be looking for new parks.

*Prohibition on funding for the megaport in Southport.* The State budgets for fiscal years 2011 and 2013 included prohibitions on spending on the huge marine container terminal planned by the State Ports Authority for a 600-acre site on the Cape Fear River near Southport. That was necessary because, by mid-2010, the project had already consumed \$44 million, and that was still owed. And still is. But for fiscal 2012, the prohibitive language, included in the House bill, was surgically removed in the Senate, leaving not a trace except a missing section number. Immediately, a \$2 million study was redirected to the project. More money wasted. So the language was restored for fiscal 2013 by the House, and after another secret excision in the Senate, restored in conference.

The Governor's proposed budget for fiscal 2014, S725, carried over the language prohibiting spending on the megaport, in section 25.2. He presumed, as we do, that the prohibition should be retained until the 600-acre megaport site has been put to another use.

But the Senate budget bill does not have it. Will the House put it back? And keep it there?